

REMARKS

Allowable Subject Matter and Amendments

Applicants gratefully acknowledge the Examiner's indication that claims 24, 25, 28, 29, and 36 recite allowable subject matter.

Claims 1-5, 8-22, and 41 are cancelled (claims 6 and 7 having been previously cancelled). New claims 42-60 correspond to prior claims 2-5 and 8-22, respectively, except that they are now dependent on allowable claim 24. New claim 45, which corresponds to prior claim 5, does not recite formula I4. New claims 43 and 56, which correspond to prior claims 3 and 18, do not recite that Y can be CN. New claim 59, which corresponds to prior claim 21, recites that the compound is of formula I. The Examiner is incorrect that the claim should refer to ring A¹ rather than the "compound." See page 12, line 2-4. New claim 60, which corresponds to prior claim 22, does not recite "particular."

Allowable claim 24 is rewritten in independent form. Claims 25-27, 30-35, and 37-40, as well as new claims 42-60, are amended to depend from allowable claim 24.

Allowable claim 28 is also amended to be in independent form. Claims 23 and 29 are amended to depend from allowable claim 28.

Finally, allowable claim 36 is also amended to be in independent form.

Thus, all pending claims are either claims that have already been indicated as allowable, or are dependent on claims that have already been indicated as allowable.

Rejection under 35 USC §112, second paragraph

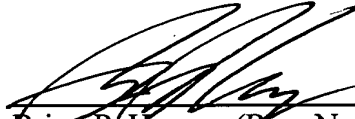
As noted above, claims 1-5, 8-22, and 41 are cancelled. See also the comments above regarding new claims 43, 45, 56, 59 and 60. Withdrawal of the rejection is respectfully requested.

Obviousness-type Double Patenting Rejections

The obviousness-type double patenting rejections are rendered moot by the cancellation of claims 1-5, 8-22, and 41. Applicants reserve the right to file a divisional application directed to the subject matter of these cancelled claims. Withdrawal of the rejections is respectfully requested.

The Commissioner is hereby authorized to charge any fees associated with this response or credit any overpayment to Deposit Account No. 13-3402.

Respectfully submitted,



Brion P. Heaney (Reg. No. 32,542)
Attorney for Applicant(s)

MILLEN, WHITE, ZELANO & BRANIGAN, P.C.
Arlington Courthouse Plaza I, Suite 1400
2200 Clarendon Boulevard
Arlington, Virginia 22201
(703) 812-5308 [Direct Dial]
(703) 243-6410 [Facsimile]
Internet Address: heaney@mwzb.com

Filed: **May 11, 2005**
Attorney Docket No. **MERCK-2405**